



U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 04-MAR-2021
ORM Number: SWF-2021-00083
Associated JDs: N/A
Review Area Location¹:
State/Territory: Texas City: Dallas County/Parish/Borough: Dallas County
Center Coordinates of Review Area: Latitude: 32.863783, Longitude: -96.910882

II. FINDINGS

- A. Summary:** Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.
- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
 - There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in section II.B).
 - There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in section II.C).
 - There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A	N/A	N/A	N/A

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters)³

(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A	N/A	N/A	N/A

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A	N/A	N/A	N/A

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):

(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A	N/A	N/A	N/A

Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
SWF-2021-00083 Wetland 1	7.23 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 1 directly abuts (i.e. touches one point or side of an (a)(2) water) Daniels Creek, which connects with the Elm Fork of the Trinity River.

¹ Map(s)/Figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide and included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where independent upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD form.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps Districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
SWF-2021-00083 Ditch 1	1558 feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Excavated in uplands to convey stormwater from upland areas captured from offsite, and does not replace an (a)(1)-(a)(4) water.
SWF-2021-00083 Ditch 2	321 feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Excavated in uplands to convey stormwater from upland areas on site, and does not replace an (a)(1)-(a)(4) water.
SWF-2021-00083 Stormwater Basin 1	0.26 acres	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Stormwater basin constructed entirely in uplands with an earthen berm to capture runoff conveyed via Ditch 2 from upland areas. A culvert was installed along the southern end of the basin for excess flow into Wetland 1.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- Information submitted by, or on behalf of, the applicant/consultant: *2118 California Crossing – Waters of the United States Delineation, 26 January 2021*
This information *is* sufficient for purposes of this AJD.
Rationale: *N/A*.
- Data sheets prepared by the Corps: *N/A*
- Photographs: *Aerial: Attachment D, Historical Aerial Photographs, 1942-2016; On-Site Photographs: Attachment B, Site Photographs, 03-13 January 2021;*
- Corps Site visit(s) conducted on: *N/A*
- Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*
- Antecedent Precipitation Tool: *N/A*
- USDA NRCS Soil Survey: *Figure 3, Soils Map, 01/26/2021*
- USFWS NWI maps: *N/A*
- USGS topographic maps: *Figure 2B., Topographic Setting, USGS Irving 7.5' Quad 2019*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	<i>Figure 6, Aquatic Resources Identified During 2021 Field Evaluation</i>

B. Typical year assessment(s): *N/A*

C. Additional comments to support AJD: *Sources mentioned above are attached.*